

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Charles Price Tayler, Jr. :  
et al.

APPLICATION NO.: 10/726,878 : Examiner:

FILING DATE: December 2, 2003 : Group Art Unit: 1614

TITLE: METHOD OF TREATMENT FOR SEXUAL :  
DYSFUNCTION

Hon. Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the Office Action dated March 24, 2006. The time for responding expired on April 24, 2006. Applicants submit herewith a two (2) month Request for Extension of Time, extending the time of reply to June 26, 2006.

The Examiner required restriction of the application to one of two groups: I (Claims 2-9 and 13-16) drawn to a method of treating premature ejaculation and II (Claims 11-12) drawn to a composition comprising an alpha-2-delta ligand.

Applicants hereby elect, with traverse, Group I (Claims 2-9 and 13-16). Furthermore, as requested, Applicants provisionally elect Invention #5 and, specifically elect the following species: compound XI:



In particular, Applicants submit that the Examiner reconsider the restriction of Groups I and II. Since the Examiner is required to search the structures of the

compounds (Invention 5), it would not be burdensome to further search whether compositions of such compounds are patentable. If the Examiner maintains the restriction requirement, Applicants request that the Examiner rejoin Group II (Claims 11-12) at the appropriate juncture in prosecution of Group I.

Furthermore, Applicants respectfully request that the Examiner reconsider joining compounds III and IV (Invention #3) to those encompassed in Invention #5. The compounds of Invention #3 and #5 contain the exact same core structure, including the carboxylic acid and amine substituents. Accordingly, the structures of Invention #3 could easily be searched during the search of Invention #5.

Please enter the following amendments: